

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Trevor Black, Ron Brown, Judith Davis, Robert Campbell, and Mayor Moser were present. Gary Kuhlmann, Legal Counsel, was present. April Ruesch was present. Jack Davis was excused. Chief Louie Ford was present. Jack Davis was present. Rod Mills and Curtis Neilson of Ensign Engineering were present. Town Clerk, Nathan Bronemann, was present taking minutes.

4. Declarations of conflict of interests.
None stated.

5. Public Comments

No comments.

Motion made by Judith Davis to close public comment. Trevor Black seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

6. Report on Annual Financial Statements – Hinton Burdick, CPAs and Advisors

McKay Hall presented the annual financial statements to the Town Council for the fiscal year ending June 30, 2015. He reviewed the contents and highlighted several areas. (Presentation attached.)

7. Discussion and possible action on an interlocal agreement between the Town and the Utah Finance Authority – Joe Spencer

Joe Spencer said he would let Brandon Johnson present as he was the legal authority behind the Utah Finance Authority (UFA).

Brandon Johnson said he worked for a firm called Farnsworth Johnson and that they had a lot of experience with bonds. He said many municipalities were unable to dedicate the resources necessary to issue assessment bonds. He said the UFA was a separate political entity with the purpose of issuing assessment bonds. He explained that a developer would consent to the creation of an assessment area. He said assessment bonds could only be used to finance infrastructure for developments in the community. He said they were typically 20-year bonds. He said an assessment levy would be placed on the property the same as a property tax lien. He said the primary benefit of the UFA is that the UFA does the work to issue the bonds and the interest rates are usually lower. He said UFA, as a political subdivision of the State, was required to be completely transparent. He said the member municipalities would select members to sit on the UFA board. He said there were no obligations to pay fees or taxes to the UFA. He said that the Town would not be liable for any of the bonds that were issued through the UFA. He said for the Town to join the UFA, the Town Council would need to consent and then sign an interlocal agreement. (Presentation attached.)

Robert Campbell asked where the money came from to operate the UFA.

Brandon Johnson said the UFA was funded on a project by project basis by the fees tied to each issuance of assessment bonds.

Robert Campbell asked if there was a default in the repayment of a bond, who would be liable for repayment.

Brandon Johnson said the bond holders would be able to foreclose on the property in the assessment area to recover their losses. He said the Town would not be legally liable.

Robert Campbell asked what the money could be spent on.

Brandon Johnson said the bond document would restrict the funding to be spent on specific infrastructure. He said the developer would need invoices to support the expenditures.

Ron Brown asked who would oversee the actual project to verify the infrastructure was actually being completed as reported.

Brandon Johnson said engineers would be reporting the status of each project.

Gary Kuhlmann clarified that in the event of a foreclosure due to a bond default, the foreclosure would not be on the infrastructure, but on the other land in the assessment area.

Brandon Johnson said that as a member of the UFA, the Town would be entitled to a report on any assessment bonds.

Judith Davis asked how the UFA would promote affordable housing.

Brandon Johnson said one of the bond options was issued to fund affordable housing as opposed to infrastructure.

Gary Kuhlmann said the Town Council could not vote on the issues tonight and that he had a few questions and concerns he would like to resolve before giving his recommendation.

Motion made by Mayor Moser to assign Gary Kuhlmann to do the research and give a recommendation during the next Town Council meeting. Ron Brown seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

8. Discussion and action on Resolution 2016-02 appointing a new Big Plains Water and Sewer Special Service District board member

Mayor Moser read the resolution appointing Ron Brown as a new member on the SSD board.

Motion made by Trevor Black to adopt Resolution 2016-02. Judith Davis seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

9. Discussion and action on Resolution 2016-03 appointing a representative to serve on the Washington County Solid Waste board

Mayor Moser read the resolution appointing Robert Campbell as a new member on the Washington County Solid Waste board.

Motion made by Ron Brown to adopt Resolution 2016-03. Trevor Black seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

10. Discussion and action on Town Council member assignments

Mayor Moser reviewed the proposed assignments as discussed in the January 13th work meeting. They were as follows:

Mayor's Association meetings attendance:	Mayor Moser
Washington County Water Conservancy District board member:	Mayor Moser
UDOT meeting attendance:	Mayor Moser
Dixie Applied Technology meeting attendance:	Mayor Moser
Eastern Washington County Rural Planning Organization:	Mayor Moser
Treasurer:	Judith Davis
Community Events Committee Liaison:	Judith Davis
Public Works:	Trevor Black
Washington County Solid Waste board member:	Robert Campbell
Liaison to the Planning Commission:	Robert Campbell
Liaison to the Fire Department:	Ron Brown
Board Member on the Special Service District:	Ron Brown
Washington County Mosquito Abatement board member:	Dale Kingsley

Motion made by Judith Davis to approve the assignments as discussed. Robert Campbell seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Robert Campbell-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

11. Discussion and action on scheduling an open and public meetings training for all board members

Mayor Moser said all Town body members were required to attend open and public meetings training annually.

Motion made by Mayor Moser to schedule open and public meetings training Thursday, February 11th, 2016 at 7:00 pm. Ron Brown seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

12. Discussion and possible action on approval of proposed Eagle Project – Orin Hutchings

Orin Hutchings said the Town Park did not have any permanent trash cans. He said he would like to make five trash cans out of 55 gallon oil drums.

Motion made by Robert Campbell to approve the proposed Eagle Project. Ron Brown seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

13. Status report on the Gateway Project – Rod Mills

Curtis Neilson presented the history of the Gateway Project that dated back to 2012. He said the project started as just a bridge and through many changes, developed into what it has become today. He said the CIB agreed to fund the project last year. He said the final design was done after the funding was approved. He said the Town Council and community gave feedback on the project. He said there were three preapproved bidders. He said the bid had been awarded to Interstate Rock Products. He said there had been several public hearings to solicit feedback. He explained the bidding and awarding process. He said rather than bid a lump sum project, they bid a unit sum bid so that the Town could value engineer which line items would work best with the funding that was awarded. He said there was \$1,740,000 available for the project. He said it was currently bit at about \$1,738,000 with the remainder held as a contingency. (Presentation attached.)

Ron Brown asked how many miles of roadway were originally planned and why it was decreased.

Curtis Neilson said the original plan was to double chip eight miles of roadway, and that it had decreased to five miles due to funding constraints. He said that with the contingency, the Town could end up with up to six and a half miles.

Robert Campbell asked how much road base would go under the double chip and seal.

Curtis Neilson said they calculated 4 inches deep and 24 feet wide.

Robert Campbell asked about the compaction.

Curtis Neilson said it would be contracted to Landmark.

Ron Brown said he still had a problem with the eight miles being reduced to five miles.

Curtis Neilson apologized if there was a misunderstanding, but that the project was budget driven.

Robert Campbell asked if there was funding for road base for the remaining three miles.

Mayor Moser said that was not currently part of what is bid.

Trevor Black asked if the cost of prep-work had been included before the chip was laid down.

Curtis Neilson said it was included in the bid.

Robert Campbell asked how long the double chip and seal would last.

Ron Brown said there was no way to know for sure.

Ron Brown said he would like to know exactly how much each line item would cost.

Curtis Neilson said he could provide that information.

Robert Campbell said in the future he would like to make sure that confusion and rumors were reduced if possible.

Mayor Moser said that when it came time to start on the roads the Town Council would decide which roads would need to be done.

14. Reports and recommendations from Town Council members on assignments

Nothing to report.

15. Report and recommendation from the Planning Commission

Nothing to report.

16. Report and recommendation from the Big Plains Water and Sewer SSD

Mayor Moser said the board tentatively voted to eliminate the two highest tiers on the water bill starting in April as well as adding a fee to rent bulk meters and to change that usage rate.

17. Report and recommendation from the Fire Department

Chief Ford said they had been paged out on a head-on collision. He said the occupants had been transported to the hospital and had since been released. He said they had two fire-fighters attending EMT training.

Mayor Moser said those individuals would need to sign a reimbursement contract.

Chief Ford presented certificates to Dave Mortensen and Lee Kapke for training they had completed.

18. Report and recommendation from the Community Events Committee

Marie McGowan reported that they were ready for the Easter egg hunt on March 26th. She said they had lined up several summer camp courses.

19. Report and recommendation from the Code Enforcement Officer

See attached.

20. Report and recommendation from Emergency Management

See attached.

21. Report and recommendation from the Public Works Department

Mayor Moser said the motor grader was being repaired. He said Kevin Sair had been out cleaning up roads and removing weeds.

22. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Trevor Black to approve the consent calendar. Ron Brown seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

23. Consider approval of minutes:

a. January 7, 2016 Regular Meeting Minutes

Motion made by Judith Davis to approve the January 7, 2016 regular meeting minutes. Ron Brown seconded the motion. Vote: Trevor Black-abstain, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 4/0 with one abstention.

b. January 13, 2016 Work Meeting Minutes

Motion made by Ron Brown to approve the January 13, 2016 work meeting minutes. Trevor Black seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

24. Announcements

No other announcements.

25. Request for a closed session

Not requested.

26. Adjournment

Motion made by Trevor Black to adjourn the meeting. Ron Brown seconded the motion. Vote: Trevor Black-yes, Ron Brown-yes, Judith Davis-yes, Robert Campbell-yes, Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:30 PM.

Date approved: _____

ATTEST: _____
Nathan Bronemann

Richard Moser

CODE ENFORCER'S REPORT TO TOWN COUNCIL January 21, 2016

Since Jan. 7, 2016:

I'm still investigating a number of complaints I've received, many of them false, and have sent out questionnaires to determine those that may be in violation. Everyone appears to be in compliance at this time.

I was shown several properties with possible violations. No one was on them and I'm still trying to contact those involved.

People need to contact the town office before putting up any buildings, fences or animal runs to make sure they are in compliance with all ordinances. I'm hoping to require everyone to fill out an application with building plan and a plot plan on any kind of building to eliminate a lot of misunderstanding and code violations. Some accessory building may be exempt from building permits. Agriculture buildings in the residential zones are not necessarily exempt from building permits according to the state code.

Our annual animal vaccination clinic was successful. Thanks to Dr. Bice and his assistant from Desert Vet, Marie McGowan, her sister Nancy, and my daughter Elishia for their help. Dog licenses are due Jan. 1st and a late fee may be charged after February 15th.

I'm still getting complaints on the same dogs, barking incessantly, running loose, chasing children on bicycles, trespassing and destroying property.

If anyone has a complaint regarding a town ordinance violation please come into the town office and fill out a complaint form.

Thank you,
April Ruesch

EMERGENCY MANAGEMENT REPORT January 21, 2016

My last quarterly for the EMPG grant was due January 20th and I've been working on it and waiting for a report from Hildale. I met with our state liaison while I was at the UEMA Conference.

I Emergency Management Conference & workshops in West Jordan on January 13th & 14th, but missed the Citizen's Corps meeting I should have attended up there on the 12th.

I plan to attend W.C.C.C. and LEPC January 21st.

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, at least the ICS100 & 700). It is also recommended that town officials take ICS-G402. Firemen especially should complete more ICS courses online and when they become available. We need your cooperation. The more people trained, the better prepared we will be. Outside help will not always be available and able to get to us. (If you need assistance let me know. THIS will need to be done to continue getting the grant.)

Thank you,
April Ruesch

Town of Apple Valley, Utah Fiscal Year 2015 Audit Presentation

Presented January 21, 2016
By HintonBurdick CPAs & Advisors

1

Audit Reports

- **Independent Auditors Report (pg 1-2)**
 - Unmodified or “clean opinion”
- **Report on Internal Control over Financial Reporting and on Compliance (pg 62)**
 - No material weaknesses noted.
 - No significant deficiencies noted.

2

Government Wide Financial Highlights

- Total net position (equity) was \$1,627,045 at June 30, 2015. pg 15.
- Over time, increases or decreases in net position are an indicator of whether the financial health of the Town is improving or deteriorating.

3

Government Wide Financial Highlights

- Net position increased by \$100,028 during fiscal year 2015. pg 17.
- The net position of governmental activities increased by \$62,381
- The net position of business-type activities increased by \$37,647.

4

Government Wide Financial Highlights

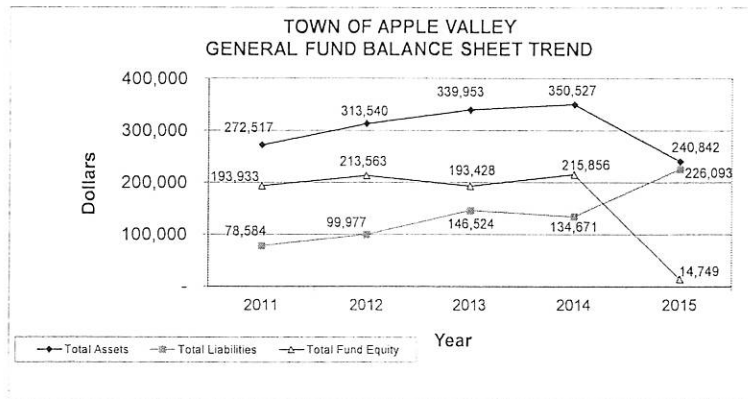
- Governmental capital assets increased by \$327,263 net of depreciation of \$56,926. pg 34.
- Business-type capital assets increased by \$2,419,363 net of depreciation of \$50,330. pg 35.

5

Government Wide Financial Highlights

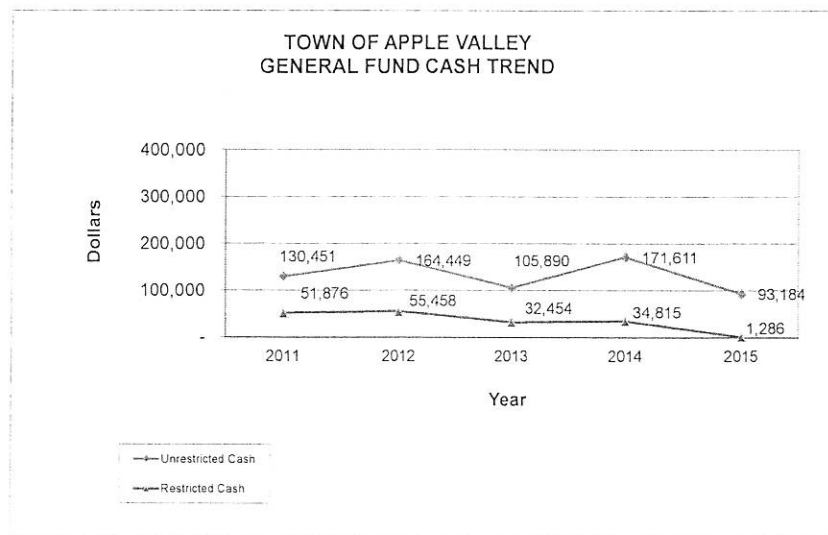
- Total Governmental long-term debt was \$63,776 (Vehicle Purchase) at June 30, 2015. pg 35.
- Total Business-type long-term debt was \$4,706,680 at June 30, 2015. pg 36.

6



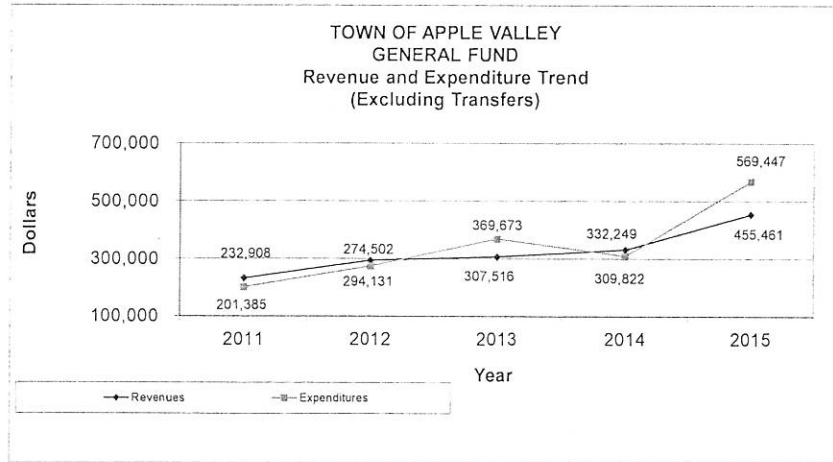
The General Fund's fund balance decreased by \$201,107 as a result of expenditures in excess of revenues.

7



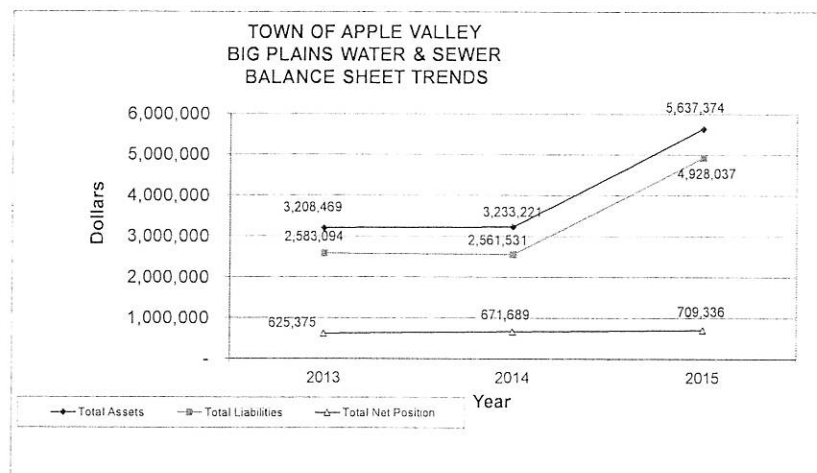
There are no significant restricted cash balances reported in the General Fund for fiscal year 2015.

8



The General fund is expected to break even over time. Fluctuations between excess revenues and excess expenditures are normal for the General Fund. Fiscal year 2015 resulted in expenditures in excess of revenues (excluding transfers) of \$113,986.

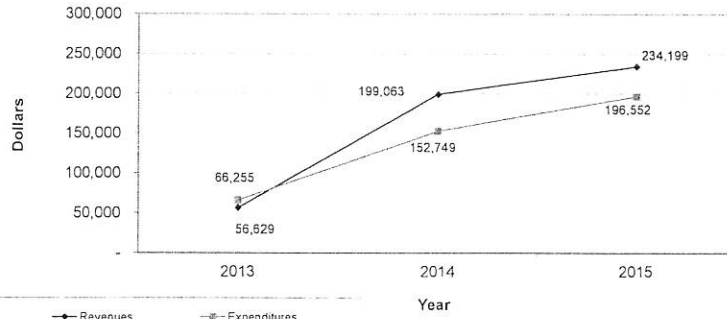
9



The Water & Sewer enterprise fund is reported on the full accrual basis and the acquisition of assets and debt do not run through the statement of revenues expenses and changes in net position. The district was acquired in fiscal year 2013.

54

TOWN OF APPLE VALLEY
BIG PLAINS WATER & SEWER FUND
Total Revenues and Total Expenses
(Including Capital Contributions & Transfers)



The Water & Sewer enterprise fund is reported on the full accrual basis and should show revenues in excess of expenditures in order to provide for depreciation and future capital requirements. In 2014 and 2015 the fund has reported revenues in excess of expenses.

11

Thank You!

- Thank you for the opportunity to work with the Town and thanks to those who assisted with this year's audit.
- We feel that we have established and maintaining a strong working relationship with the Town that will continue to provide benefits well into the future.

12

Questions?

- Feel free to contact McKay Hall, CPA, CISA, CITP, CFE
- Phone: 435-628-3663 ext 272
- Email: mhall@hintonburdick.com

13

Utah Finance Authority

Brandon Johnson • 801.932.0317 • brandon@farnsworthjohnson.com



Utah Finance Authority

- Interlocal agency created pursuant to the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code.
- Each member of UFA enters into the UFA interlocal agreement:
 - Creation,
 - Governance,
 - Operation,
 - Members.
- Member must be a city or county.

Purpose of UFA

- Financing tool to promote economic and community development in the UFA Members:
 - Assessment bonds; and
 - Private activity bonds.
- Assessment bonds: Serve as a conduit issuer to levy and collect assessments and issue assessment bonds to finance infrastructure for developments in the Members' communities and CPACE (commercial property assessed clean energy) energy efficiency improvements.
- Private activity bonds: Serve as a conduit issuer for projects that promote employment and economic and community development:

• Industrial development	• Colleges, universities, other educational institutions
• Public-private partnerships	• Charter schools
• Energy conservation	• Hospitals and other medical facilities
• Pollution control	• Other nonprofit entities (museums, cultural institutions)

3

FARNSWORTH
JOHNSON PLLC

Assessment Bond Financing

- Assessment financing for infrastructure in new developments and CPACE energy efficiency improvements.
- Assessment Area Act, Title 11, Chapter 42 Utah Code.
- How does it work?
 - Developer consents to creation of assessment area and levy of assessment;
 - UFA creates assessment area and levies assessment;
 - UFA issues assessment bonds;
 - Bond proceeds used to finance public infrastructure in the development;
 - Bonds are payable solely from assessments in assessment area (assessments paid by property owners);
 - Bonds secured by lien on properties in assessment area;
 - UFA collects and manages annual assessment payments, delinquencies.

4

FARNSWORTH
JOHNSON PLLC

Benefits of Utah Finance Authority

- Promote community and economic development in the Members' communities.
- Undertake voluntary assessment financings and private activity bond financings for Members:
 - Minimize the time and resources Members and their staff spend on such financings while enjoying the economic benefits that result from the development;
 - Manage all aspects of the burdens of private economic development financing, both before and after the issuance of bonds, including:
 - Ongoing disclosures,
 - Levy of assessments,
 - Assessment and revenue collection and potential enforcement of delinquencies.
- Achieve costs savings through economies of scale and joint and cooperative action with other Members.
- Facilitate the efficient use of public resources.
- Provide an open and public process.

5

FARNSWORTH
JOHNSON PLLC

Transparency and Member involvement

- All projects and bonds must be approved by the UFA governing body.
- Members select the members of the UFA governing body.
- Each project must have land use approval by the Member in which the project will be located.
- UFA bonds are solely the obligations of UFA and do not constitute a debt or obligation of any Member of UFA nor will any Member be liable for any obligations incurred by UFA.
- No financial liability for Members or taxpayers.
- UFA is a separate legal entity and a political subdivision of the State of Utah, separate from the Members.
- UFA only has the powers and purposes given to it by the Members in the interlocal agreement creating UFA.
- Because UFA is a political subdivision, it is governed by the same public notice and disclosure requirements as other municipalities.

6

FARNSWORTH
JOHNSON PLLC

Powers of UFA

- Enter into contracts;
- Employ or contract with persons or firms for personnel to accomplish its purposes;
- Acquire real or personal property, or an interest in real or personal property, necessary or convenient for its purposes;
- Undertake, own, purchase, lease, acquire, construct, operate, maintain, repair and finance any project authorized by the Governing Body to accomplish the purposes of UFA;
- Borrow money, incur indebtedness, and issue revenue bonds;
- Make loans and enter into leases;
- Create voluntary assessment areas, levy, collect and enforce assessments and issue assessment bonds as a local entity pursuant to the Assessment Act;
- Exercise the powers conferred upon the Members by the Utah Industrial Facilities and Development Act.

7

FARNSWORTH
JOHNSON PLLC

Legal authority

- Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code
- Assessment Area Act, Title 11, Chapter 42, Utah Code
- Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code

8

FARNSWORTH
JOHNSON PLLC

Steps to join Utah Finance Authority

- Review Interlocal agreement;
- City or county governing body approves interlocal agreement and membership in UFA; and
- City or county attorney reviews and approves form of interlocal agreement.





APPLE VALLEY TOWN GATEWAY PROJECT

FROM NEED TO CONSTRUCTION

GATEWAY PROJECT TIMELINE

- THE NEED FOR THE PROJECT PREDATES THE TOWN
- FUNDING POSSIBILITIES OPENED BECAUSE OF THE MAYORS INVOLVEMENT IN THE HIGHWAY COMMISSION AND R/W ACQUISITION FUNDING
- ENTITLEMENTS – 2013
- PRELIMINARY DESIGN – 2014
- CIB FUNDING FOR FINAL DOCUMENTS AND CONSTRUCTION- SPRING – 2015
- FINAL DESIGN -SUMMER– 2015
- BIDDING- FALL– 2015
- CONSTRUCTION – 2016

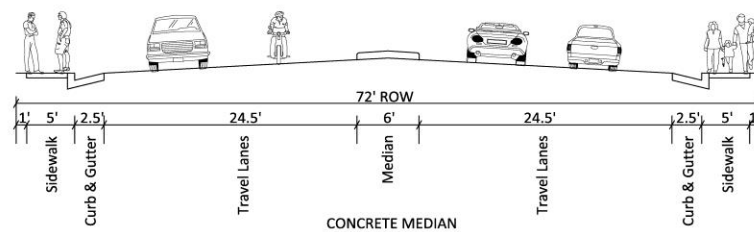
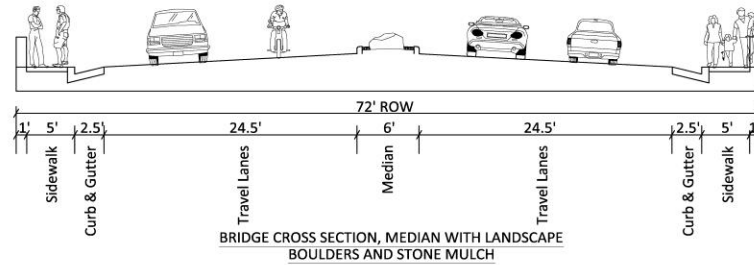
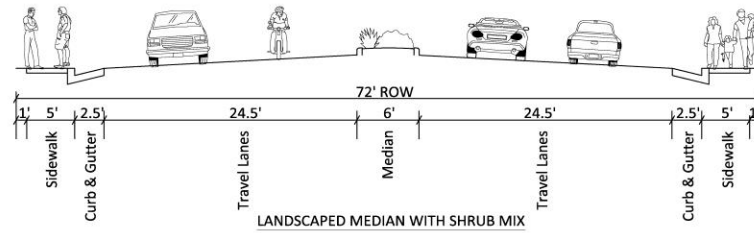
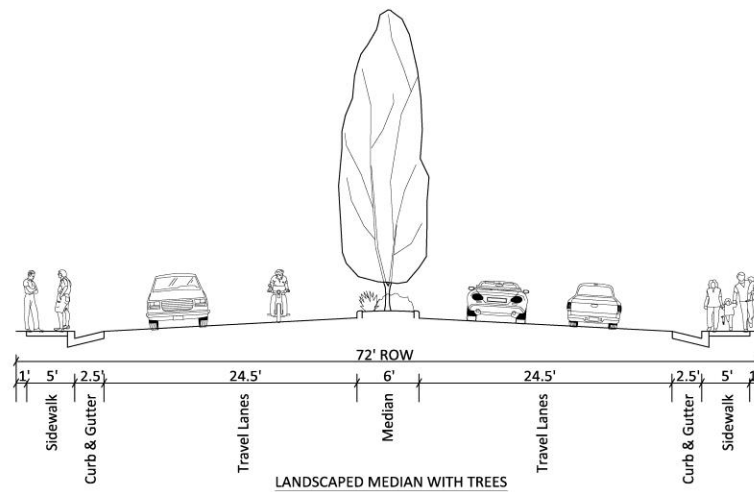
THE GATEWAY CONCEPT

- **COMMUNITY OPEN HOUSE EVENTS**
 - FEDERAL FUNDING
 - OPEN AND COMPETITIVE
- **BIG VISION – NOT SO BIG BUDGET**
 - UNIT PRICE VS. LUMP SUM
- **PRELIMINARY DESIGN**



Apple Valley Gateway
Illustrative Plan





BIDDING

- **REQUIREMENTS**

- FEDERAL FUNDING
- OPEN AND COMPETITIVE

- **PROCESS**

- UNIT PRICE VS. LUMP SUM

- **EVALUATION**

- **AWARD**



AWARD

- **FUNDING AVAILABLE**

- \$1,740,000

- **FINAL CONSTRUCTION BUDGET**

- \$1,738,030.83
 - 5% Contingency
 - 5 Miles of Hard Surface Roadways